

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:

NationsRent, Inc., et al.,¹

Debtors.

NationsRent Unsecured Creditor's
Liquidating Trust, Perry Mandarino, not
personally, but as Trustee

Case Nos. 01-11628 through 01-11639 (PJW)

Jointly Administered

Chapter 11

Plaintiff,

v.

3-D/Costal Oil Company

District Court Case Nos. (KAJ):

04-CV-1033

4 Star Air Hydraulics & Ind.

04-CV-1030

Action Tire Company

04-CV-1031

ADA Resources Inc.

04-CV-976

Advanced Tire Inc.

04-CV-713

Ael Leasing Co., Inc.

04-CV-767

Agovino & Asselta, LLP

04-CV-1035

Airdyne Management Inc.

04-CV-714

Allen Oil Company of Sylacauga, Inc.¹

04-CV-801

Alternators Unlimited Reb.

04-CV-988

A.O.K. Tire Mart II, Inc.

04-CV-766

Archie's Truck Service

04-CV-1158

Arrow Master, Inc.

04-CV-1160

ASAP Equipment Rental & Sales

04-CV-716

Authorized Equipment, Inc.

04-CV-784

¹ NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRG, Inc., NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc., NationsRent of Texas, LP, and NationsRent of Indiana, LP

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|---|------------|
| Bay Counties Pitcock Petroleum Inc. | 04-CV-1060 |
| Black & Veatch Constr. | 04-CV-1039 |
| Blue Ribbon Tire Co., Inc. | 04-CV-721 |
| Bobcat Company | 04-CV-1026 |
| Bradenton Fuel Oil, Inc. | 04-CV-1037 |
| Burch-Lowe, Inc. | 04-CV-1076 |
| Carruth-Doggett Industries, Inc. | 04-CV-723 |
| C.G.& E. | 04-CV-802 |
| Central Tire | 04-CV-995 |
| Cintas Corp. #318, Cintas Corporation No. 2 | 04-CV-996 |
| CMD Group | 04-CV-726 |
| Coleman Engineering | 04-CV-1148 |
| Collision Pro | 04-CV-1149 |
| Columbus Equipment Company | 04-CV-998 |
| Columbus McKinnon Corp. | 04-CV-999 |
| Commercial Tire Inc. | 04-CV-806 |
| Construction Machinery, Inc. | 04-CV-1142 |
| Contractors Machinery Co. Inc. | 04-CV-795 |
| Corporate Express | 04-CV-1001 |
| Cowin Equipment Company, Inc. | 04-CV-728 |
| Creative Financial Staffing | 04-CV-1021 |
| Crosscheck, Inc. | 04-CV-732 |
| Cyrk, Inc. a/k/a Cyrk Acquisition | 04-CV-734 |
| Delta BCX Printing | 04-CV-1167 |
| Delta Formost Chemical Corporation | 04-CV-1170 |
| Diamant Boart Inc. | 04-CV-1104 |
| Diamond Hydraulics | 04-CV-1106 |
| Diamond J. Transport, Inc. | 04-CV-787 |

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| Diversified Credit Service | 04-CV-1096 |
| Don's Tire Service, Inc. | 04-CV-1106 |
| Dorris Cleaning | 04-CV-1111 |
| Doskocil Industries, Inc. | 04-CV-1150 |
| Dossey Holdings, Inc. | 04-CV-1155 |
| Double A | 04-CV-1153 |
| Douglass Distributing | 04-CV-1114 |
| Dutchess Forging | 04-CV-1117 |
| Ebusiness Technology partners, Inc., f/k/a PSR Professional Staffing, Inc. | 04-CV-747 |
| Ed Hart | 04-CV-975 |
| EJ Reynolds, Inc. | 04-CV-722 |
| Equipment Development Co., Inc. | 04-CV-1128 |
| Equiptechs, Inc. | 04-CV-789 |
| Falcon Power | 04-CV-1130 |
| Fischer Group | 04-CV-1141 |
| FL Hydraulic Machinery | 04-CV-725 |
| Fleetwing Corp. | 04-CV-1151 |
| Fluid Tech Hydraulics, Inc. | 04-CV-1154 |
| GCR Pensacola Truck Tire Ctr. | 04-CV-730 |
| Gene Jackson Tire Co. | 04-CV-1049 |
| GFC Leasing | 04-CV-1051 |
| GMR Marketing LLC | 04-CV-731 |
| Goodyear Commercial Tire & Service Center | 04-CV-733 |
| GSR Construction, Inc. | 04-CV-768 |
| Gullo Ford Mercury | 04-CV-769 |
| Harbor Graphics Corporation | 04-CV-1007 |
| Harte-Hanks | 04-CV-739 |

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| Hick's Petroleum Distributors, Inc. | 04-CV-770 |
| Hindley Electronics, Inc. | 04-CV-1013 |
| Holt Equipment Company Co., LLC | 04-CV-772 |
| Hunt & Sons | 04-CV-1019 |
| Husqvarna Forest & Garden | 04-CV-1176 |
| ID Technologies, Inc. | 04-CV-1043 |
| Igloo Products Corp. | 04-CV-1042 |
| Illuminating Company | 04-CV-1070 |
| Industrial Hydraulics | 04-CV-1075 |
| Ingram Trucking LLC | 04-CV-744 |
| BBF, Ltd | 04-CV-800 |
| JAM Distributing Company | 04-CV-1123 |
| J&B Auto Supply, Inc. | 04-CV-1162 |
| Jeff Falkanger & Associates | 04-CV-1184 |
| Jimmy's Garage | 04-CV-1080 |
| Joe Jeter Sales | 04-CV-981 |
| John Ray and Sons Inc. | 04-CV-774 |
| Kent Demolition Tools | 04-CV-987 |
| Keson Industries Inc. | 04-CV-1116 |
| Kforce.com Inc. | 04-CV-745 |
| L&P Financial Services | 04-CV-1165 |
| Laclede Chain Mfg. Co. | 04-CV-1086 |
| Land & Sea Petroleum, Inc. | 04-CV-993 |
| Lionudakis Wood & Green Waste | 04-CV-1091 |
| Little Beaver, Inc. | 04-CV-997 |
| Lockhart Tire | 04-CV-1062 |
| M & D Distributors | 04-CV-1172 |
| M.P. Brine Inc. | 04-CV-783 |

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| Maxim Group | 04-CV-757 |
| Maxout Sourcing Services | 04-CV-758 |
| Metso Minerals Industries, Inc. | 04-CV-1011 |
| Miller Bros Giant Tire Service-Jacksonville, Inc. | 04-CV-1178 |
| The Miller Spreader Co. | 04-CV-1008 |
| Mission Critical System, Inc. | 04-CV-1014 |
| Mobile Products, Inc. | 04-CV-1186 |
| Mobile Storage Group, Inc. | 04-CV-1028 |
| Morgan Auto Supply Co. | 04-CV-1191 |
| Morgan Guaranty Trust Company of New York | 04-CV-1192 |
| Morgan Marshall Industries Inc. | 04-CV-763 |
| Multiquip Inc. | 04-CV-1025 |
| Mutual Industries | 04-CV-737 |
| Naab Consulting Corp. | 04-CV-1027 |
| Nabors Radiator & Electric | 04-CV-738 |
| NACM | 04-CV-1067 |
| NAPA Auto Parts, National Automotive Parts Association | 04-CV-1041 |
| Napa Auto Parts of Franklin | 04-CV-1073 |
| Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor | 04-CV-1063 |
| Neff Rental Inc. | 04-CV-785 |
| Nickey Petroleum Co. Inc. | 04-CV-1085 |
| Nortrax Equipment Co. SE, LLC | 04-CV-1045 |
| Nortrax Equipment Co. South LA | 04-CV-1044 |
| Nortrax NE LLC | 04-CV-1064 |
| NSTAR Electric & Gas Corporation | 04-CV-1066 |

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| Office Management Systems Inc. | 04-CV-742 |
| Olsen Tire | 04-CV-792 |
| Original Equipment Replacement Parts, Inc. | 04-CV-777 |
| Orlando Industrial Contractors | 04-CV-776 |
| OTR Tire & Supply Co. | 04-CV-1088 |
| Overland Machinery Co. | 04-CV-1089 |
| Pacific Century LSG #449 | 04-CV-1074 |
| Palmer Distributing & Sales | 04-CV-1055 |
| Parkway Truck Sales, Inc. | 04-CV-781 |
| Partner Industrial Products | 04-CV-1047 |
| Parts Associates | 04-CV-1056 |
| Penick, Parr & Associates | 04-CV-1092 |
| Peterson Tire Inc. | 04-CV-1061 |
| Pipeline Supply & Service | 04-CV-1098 |
| Pratt & Whitney Canada, Inc. | 04-CV-786 |
| Pro Chem Cleaning | 04-CV-1108 |
| Progressive Tractor Corp. | 04-CV-791 |
| Promotion Solution Inc. | 04-CV-790 |
| Quick Corner CITGO | 04-CV-1119 |
| Reeder Distributors Inc. | 04-CV-749 |
| Relizon | 04-CV-750 |
| Rentlink Inc. | 04-CV-1054 |
| Rhode Island Tire Co. Inc. | 04-CV-1032 |
| Rish Equipment Company | 04-CV-796 |
| Robertson Fleet Service Inc. | 04-CV-1029 |
| S&D Tire Inc. | 04-CV-1134 |
| Saber Fleet Services, Inc. d/b/a Weiland Tire Service | 04-CV-753 |

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| Sanford Auto & Truck Parts | 04-CV-1140 |
| Scotty's Oil Company, Inc. | 04-CV-755 |
| Sellers Petroleum Products Inc. | 04-CV-1109 |
| Sensormatic Electronics Corp. | 04-CV-1169 |
| Services & Materials, Co. | 04-CV-1171 |
| Sherwin-Williams | 04-CV-754 |
| SB Power Tool Corp. | 04-CV-1174 |
| Soco Group | 04-CV-1159 |
| Son Coast, Hauling, CCC | 04-CV-1077 |
| Southeastern Crane | 04-CV-799 |
| Southern Energy Company | 04-CV-1084 |
| Southern Linc | 04-CV-1093 |
| Spectra Precision d/b/a Richard B. Trimble | 04-CV-1094 |
| Speedway New Holland | 04-CV-1100 |
| Staffing Master.com | 04-CV-1113 |
| Star Tire Company Inc. | 04-CV-1050 |
| Sterling Truck of Utah | 04-CV-1102 |
| Stihl Inc. National Accounts | 04-CV-1180 |
| Stone Construction Equipment Inc. | 04-CV-1183 |
| Sullivan Palatek Inc. | 04-CV-1052 |
| Sun Coast Resources Inc. | 04-CV-1188 |
| Tacony Corporation | 04-CV-808 |
| Terex Aerials, Inc. d/b/a Terex Cranes | 04-CV-973 |
| Texana Machinery Corp. | 04-CV-805 |
| Tex Con Oil Company | 04-CV-1120 |
| Tioga Inc. | 04-CV-1129 |
| TIP Dept 0501 | 04-CV-1131 |
| Tire Centers LLC | 04-CV-1133 |

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| TMP Worldwide Inc. also known as Monster Worldwide, Inc. | 04-CV-986 |
| Triton Transport Inc | 04-CV-1196 |
| Truck Lease Corp. | 04-CV-1198 |
| Truck PM Corporation | 04-CV-1002 |
| Tsurumi (America) Inc. | 04-CV-1005 |
| Tullo Truck Stop | 04-CV-1138 |
| Unifirst Corp. | 04-CV-1139 |
| Uniontools, Inc. | 04-CV-1009 |
| US Imaging Solutions | 04-CV-1012 |
| US Market Inc. | 04-CV-740 |
| Valley Rubber & Gasket | 04-CV-1144 |
| Valley Tire Co., Inc. | 04-CV-1194 |
| The Valvoline Company | 04-CV-759 |
| Vector Security Inc | 04-CV-1197 |
| Vermeer Equipment of Texas Inc. | 04-CV-1166 |
| Vermeer Northeast | 04-CV-1175 |
| Vermeer of Tennessee, Inc. | 04-CV-1071 |
| Vermeer Sales & Service of Colorado, Inc. | 04-CV-1112 |
| Vermeer Sales and Service of Southern Ohio, Inc. | 04-CV-1107 |
| Vermeer Sales of Texas Inc. | 04-CV-1189 |
| Vickers & Asso, Inc. | 04-CV-1079 |
| Vic's Tire Service | 04-CV-804 |
| Viking Oil | 04-CV-1081 |
| Voltech Company | 04-CV-1087 |
| Wayne Miller's Mobile Tire Inc. | 04-CV-1179 |
| Worcester Truck Body Co., Inc. | 04-CV-1168 |

World Wide Welding & Press Inc.
Defendants.

04-CV-1103

**CERTIFICATION OF COUNSEL REGARDING ORDER: (I) SETTING
PROCEDURES TO FACILITATE SETTLEMENT
OF THE ABOVE-CAPTIONED ADVERSARY PROCEEDINGS,
AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M. AS A
STATUS/SCHEUDLING CONFERENCE DATE IN THE
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

I, Mary E. Augustine, Esq. of The Bayard Firm, counsel for the Plaintiffs ("Plaintiff" or "Plaintiffs") in the above-captioned adversary proceedings (the "Adversary Proceedings"), hereby certify as follows:

1. On May 16, 2005, an initial pretrial conference was held (the "Pretrial Conference") in the Adversary Proceedings.
2. At the Pretrial Conference, the Plaintiff proposed a schedule to apply to the Adversary Proceedings for the submission of settlement proposals/positions to the Plaintiff with the Plaintiff's required response deadlines. The Court also directed that a status/scheduling conference pursuant to Rule 16(b) of the Federal Rules of Civil Procedure be held in the Adversary Proceedings on October 11, 2005 at 10:00 a.m.

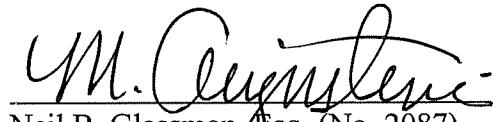
3. Accordingly, for the Court's consideration, attached hereto as Exhibit A is a proposed Order reflecting the dates and procedure presented at the Pretrial Conference.

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4. I respectfully request the entry of the proposed Order at the Court's earliest convenience.

Dated: May 18, 2005

THE BAYARD FIRM



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Christopher A. Ward (No. 3877)
Mary E. Augustine (No. 4477)
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Wilmington, Delaware 19801
(302) 655-5000 (telephone)
(302) 658-6395 (facsimile)

-and-

LOWENSTEIN SANDLER PC
Paul Kizel, Esq.
65 Livingston Avenue
Roseland, New Jersey 07068
(973) 597-2500 (telephone)
(973) 597-2400 (facsimile)

Attorneys for Plaintiffs

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:

NationsRent, Inc., et al.,¹

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NationsRent Unsecured Creditor's
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| Agovino & Asselta, LLP | 04-CV-1035 |
| Airdyne Management Inc. | 04-CV-714 |
| Allen Oil Company of Sylacauga, Inc. ¹ | 04-CV-801 |
| Alternators Unlimited Reb. | 04-CV-988 |
| A.O.K. Tire Mart II, Inc. | 04-CV-766 |
| Archie's Truck Service | 04-CV-1158 |
| Arrow Master, Inc. | 04-CV-1160 |
| ASAP Equipment Rental & Sales | 04-CV-716 |
| Authorized Equipment, Inc. | 04-CV-784 |

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| Coleman Engineering | 04-CV-1148 |
| Collision Pro | 04-CV-1149 |
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| Columbus McKinnon Corp. | 04-CV-999 |
| Commercial Tire Inc. | 04-CV-806 |
| Construction Machinery, Inc. | 04-CV-1142 |
| Contractors Machinery Co. Inc. | 04-CV-795 |
| Corporate Express | 04-CV-1001 |
| Cowin Equipment Company, Inc. | 04-CV-728 |
| Creative Financial Staffing | 04-CV-1021 |
| Crosscheck, Inc. | 04-CV-732 |
| Cyrk, Inc. a/k/a Cyrk Acquisition | 04-CV-734 |
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| Delta Formost Chemical Corporation | 04-CV-1170 |
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| FL Hydraulic Machinery | 04-CV-725 |
| Fleetwing Corp. | 04-CV-1151 |
| Fluid Tech Hydraulics, Inc. | 04-CV-1154 |
| GCR Pensacola Truck Tire Ctr. | 04-CV-730 |
| Gene Jackson Tire Co. | 04-CV-1049 |
| GFC Leasing | 04-CV-1051 |
| GMR Marketing LLC | 04-CV-731 |
| Goodyear Commercial Tire & Service Center | 04-CV-733 |
| GSR Construction, Inc. | 04-CV-768 |
| Gullo Ford Mercury | 04-CV-769 |
| Harbor Graphics Corporation | 04-CV-1007 |
| Harte-Hanks | 04-CV-739 |

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| Hunt & Sons | 04-CV-1019 |
| Husqvarna Forest & Garden | 04-CV-1176 |
| ID Technologies, Inc. | 04-CV-1043 |
| Igloo Products Corp. | 04-CV-1042 |
| Illuminating Company | 04-CV-1070 |
| Industrial Hydraulics | 04-CV-1075 |
| Ingram Trucking LLC | 04-CV-744 |
| BBF, Ltd | 04-CV-800 |
| JAM Distributing Company | 04-CV-1123 |
| J&B Auto Supply, Inc. | 04-CV-1162 |
| Jeff Falkanger & Associates | 04-CV-1184 |
| Jimmy's Garage | 04-CV-1080 |
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| John Ray and Sons Inc. | 04-CV-774 |
| Kent Demolition Tools | 04-CV-987 |
| Keson Industries Inc. | 04-CV-1116 |
| Kforce.com Inc. | 04-CV-745 |
| L&P Financial Services | 04-CV-1165 |
| Laclede Chain Mfg. Co. | 04-CV-1086 |
| Land & Sea Petroleum, Inc. | 04-CV-993 |
| Lionudakis Wood & Green Waste | 04-CV-1091 |
| Little Beaver, Inc. | 04-CV-997 |
| Lockhart Tire | 04-CV-1062 |
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| M.P. Brine Inc. | 04-CV-783 |

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| Maxout Sourcing Services | 04-CV-758 |
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| The Miller Spreader Co. | 04-CV-1008 |
| Mission Critical System, Inc. | 04-CV-1014 |
| Mobile Products, Inc. | 04-CV-1186 |
| Mobile Storage Group, Inc. | 04-CV-1028 |
| Morgan Auto Supply Co. | 04-CV-1191 |
| Morgan Guaranty Trust Company of New York | 04-CV-1192 |
| Morgan Marshall Industries Inc. | 04-CV-763 |
| Multiquip Inc. | 04-CV-1025 |
| Mutual Industries | 04-CV-737 |
| Naab Consulting Corp. | 04-CV-1027 |
| Nabors Radiator & Electric | 04-CV-738 |
| NACM | 04-CV-1067 |
| NAPA Auto Parts, National Automotive Parts Association | 04-CV-1041 |
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| Nickey Petroleum Co. Inc. | 04-CV-1085 |
| Nortrax Equipment Co. SE, LLC | 04-CV-1045 |
| Nortrax Equipment Co. South LA | 04-CV-1044 |
| Nortrax NE LLC | 04-CV-1064 |
| NSTAR Electric & Gas Corporation | 04-CV-1066 |

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| Original Equipment Replacement Parts, Inc. | 04-CV-777 |
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| OTR Tire & Supply Co. | 04-CV-1088 |
| Overland Machinery Co. | 04-CV-1089 |
| Pacific Century LSG #449 | 04-CV-1074 |
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| Partner Industrial Products | 04-CV-1047 |
| Parts Associates | 04-CV-1056 |
| Penick, Parr & Associates | 04-CV-1092 |
| Peterson Tire Inc. | 04-CV-1061 |
| Pipeline Supply & Service | 04-CV-1098 |
| Pratt & Whitney Canada, Inc. | 04-CV-786 |
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| Progressive Tractor Corp. | 04-CV-791 |
| Promotion Solution Inc. | 04-CV-790 |
| Quick Corner CITGO | 04-CV-1119 |
| Reeder Distributors Inc. | 04-CV-749 |
| Relizon | 04-CV-750 |
| Rentlink Inc. | 04-CV-1054 |
| Rhode Island Tire Co. Inc. | 04-CV-1032 |
| Rish Equipment Company | 04-CV-796 |
| Robertson Fleet Service Inc. | 04-CV-1029 |
| S&D Tire Inc. | 04-CV-1134 |
| Saber Fleet Services, Inc. d/b/a Weiland Tire Service | 04-CV-753 |
| Sanford Auto & Truck Parts | 04-CV-1140 |

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| Scotty's Oil Company, Inc. | 04-CV-755 |
| Sellers Petroleum Products Inc. | 04-CV-1109 |
| Sensormatic Electronics Corp. | 04-CV-1169 |
| Services & Materials, Co. | 04-CV-1171 |
| Sherwin-Williams | 04-CV-754 |
| SB Power Tool Corp. | 04-CV-1174 |
| Soco Group | 04-CV-1159 |
| Son Coast, Hauling, CCC | 04-CV-1077 |
| Southeastern Crane | 04-CV-799 |
| Southern Energy Company | 04-CV-1084 |
| Southern Linc | 04-CV-1093 |
| Spectra Precision d/b/a Richard B. Trimble | 04-CV-1094 |
| Speedway New Holland | 04-CV-1100 |
| Staffing Master.com | 04-CV-1113 |
| Star Tire Company Inc. | 04-CV-1050 |
| Sterling Truck of Utah | 04-CV-1102 |
| Stihl Inc. National Accounts | 04-CV-1180 |
| Stone Construction Equipment Inc. | 04-CV-1183 |
| Sullivan Palatek Inc. | 04-CV-1052 |
| Sun Coast Resources Inc. | 04-CV-1188 |
| Tacony Corporation | 04-CV-808 |
| Terex Aerials, Inc. d/b/a Terex Cranes | 04-CV-973 |
| Texana Machinery Corp. | 04-CV-805 |
| Tex Con Oil Company | 04-CV-1120 |
| Tioga Inc. | 04-CV-1129 |
| TIP Dept 0501 | 04-CV-1131 |
| Tire Centers LLC | 04-CV-1133 |
| TMP Worldwide Inc. also known as Monster Worldwide, Inc. | 04-CV-986 |

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| Triton Transport Inc | 04-CV-1196 |
| Truck Lease Corp. | 04-CV-1198 |
| Truck PM Corporation | 04-CV-1002 |
| Tsurumi (America) Inc. | 04-CV-1005 |
| Tullo Truck Stop | 04-CV-1138 |
| Unifirst Corp. | 04-CV-1139 |
| Uniontools, Inc. | 04-CV-1009 |
| US Imaging Solutions | 04-CV-1012 |
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| The Valvoline Company | 04-CV-759 |
| Vector Security Inc | 04-CV-1197 |
| Vermeer Equipment of Texas Inc. | 04-CV-1166 |
| Vermeer Northeast | 04-CV-1175 |
| Vermeer of Tennessee, Inc. | 04-CV-1071 |
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| Vickers & Asso, Inc. | 04-CV-1079 |
| Vic's Tire Service | 04-CV-804 |
| Viking Oil | 04-CV-1081 |
| Voltech Company | 04-CV-1087 |
| Wayne Miller's Mobile Tire Inc. | 04-CV-1179 |
| Worcester Truck Body Co., Inc. | 04-CV-1168 |
| World Wide Welding & Press Inc. | 04-CV-1103 |

Defendants.

**ORDER: (I) SETTING PROCEDURES TO FACILITATE
SETTLEMENT OF THE ABOVE-CAPTIONED ADVERSARY
PROCEEDINGS, AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M.
AS A STATUS/SCHEDULING CONFERENCE DATE IN THE
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

This matter having come before the Court at the initial pretrial conference (the “Pretrial Conference”) held on May 16, 2005; and the Court having considered the settlement procedures proposed by counsel for Plaintiff in the captioned adversary proceedings (“Plaintiff” or “Plaintiffs”); and having considered all responses thereto;

IT IS HEREBY ORDERED THAT:

1. Each defendant (the “Defendant”) in the each of above-captioned adversary proceedings (the “Adversary Proceedings”) shall submit a written settlement proposal/position (the “Settlement Position”) in good faith to counsel for the Plaintiffs by July 15, 2005, which: (a) contains a brief statement setting forth the basis of the Defendant’s defenses, (b) attaches all documentation supporting such defenses, and (c) sets forth Defendant’s settlement proposal and/or position. The Settlement Position shall be served upon Plaintiff’s counsel at the following address:

Lowenstein Sandler PC
Attn: Susan Erickson, Esq.
65 Livingston Avenue
Roseland, NJ 07068-1791

2. The Plaintiff shall consider the Settlement Positions in good faith and shall respond in writing to each Settlement Position pursuant to the following schedule:

a. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is greater than \$50,000.00, the Plaintiff must respond to the Settlement Position by August 19, 2005.

- b. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is between \$20,000.00 and \$50,000.00, the Plaintiff must respond to the Settlement Position by September 16, 2005.
- c. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is less than \$20,000.00 the Plaintiff must respond to the Settlement Position by September 30, 2005.

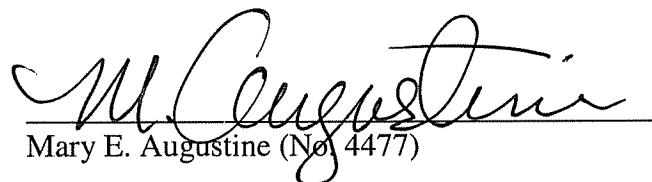
3. Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a status/scheduling conference for the unresolved Adversary Proceedings will be held on October 11, 2005 at 10:00 a.m.

Dated: _____, 2005

The Honorable Kent A. Jordan
United States District Court Judge

CERTIFICATE OF SERVICE

I Mary E. Augustine, hereby certify that on this 18th day of May, 2005, I caused a copy of the **Certification of Counsel Regarding Order: (I) Setting Procedures to Facilitate Settlement of the Above-Captioned Adversary Proceedings, and (II) Setting October 11, 2005 at 10:00 a.m. as a Status/Scheduling Conference Date in the Above-Captioned Adversary Proceedings** to be served upon the parties listed on the attached service list via hand delivery to local parties and via First Class United States Mail to all other parties thereon.



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Re: 3-D/Coastal Oil Company

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Re: 4 Star Air Hydraulics & Ind.

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Re: A&H Hose and Fitting

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Re: A.O.K. Tire Mart II, Inc.

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Re: Action Tire Company

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Re: Alternators Unlimited Reb.

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Re: American Hydraulics

Attention: Stephen Paradis, President/CEO
Attn: Stephen Paradis, President/CEP
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Re: Archie's Truck

Attn: Stephen Parad, President/CEO
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Re: Archie's Truck

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Re: ASAP Rental

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Re: Bay Counties Pitcock Petroleum

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Re: BBF Printing Solutions, Inc.

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Re: Black & Veatch Constr., Inc.

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Re: Blue Ribbon Tire

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Re: Badenton Fuel Oil, Inc.

Attn: Karen Baldw, CEO/President
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East Bradenton, FL 34203

Re: Bradenton Fuel Oil, Inc.

Attn: President / CEO
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Re: Burch-Lowe, Inc.

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Re: Burch-Lowe, Inc.

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Re: Columbus McKinnon

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Re: Commercial Tire, Inc.

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Re: Diamond J. Transport, Inc.

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Re: Dorris Cleaning

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Re: EJ Reynolds

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Re: Equipment Development Company

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Re: Equiptechs, Inc.

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Re: Fischer Group

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Re: GMR Marketing Inc.

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Re: Goodyear Commercial Tire

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Re: GSR Construction, Inc.

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Re: Hick's Petroleum Distributors

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Re: Keson Industries, Inc.

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Re: Land & Sea Petroleum, Inc.

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Re: Maxim Group

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Re: Multiquip Inc.

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Re: Nabors Radiator & Electric

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Re: NACM

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Olson Tire Total Car Care

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Re: Palmer Distributing & Sales

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Re: Penick, Parr & Associates

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Re: Progressive Tractor Corp.

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Re: Quick Corner, "Citgo"

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Bill Kluge, Chief Financial Officer
Linda F. Reeder, Treasurer
Jim Moore, Vice-President
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Re: Reeder Distributors, Inc.

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Re: Reeder Distributors Inc.

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Re: Reeder Distributors Inc.

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Re: Relizon

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Re: Rentlink Inc.

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Re: Rhode Island Tire Co. Inc.

Attn: Ronald Lawton Holland, President
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Re: Rhode Island Tire Co. Inc.

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Re: Robertson Fleet Services

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Re: S&D Tire, Inc.

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Re: Saber Fleet Services, Inc. d/b/a Weiland
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Attn: Eric Speck, Vice President
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Re: Saber Fleet Services, Inc. d/b/a Weiland
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Re: Saber Fleet Services, Inc. d/b/a
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Re: Scotty's Oil Company, Inc.

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Re: Sellers Petroleum Products, Inc.

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Re: The Sherwin-Williams Co.

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Re: SoCo Group

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Re: Southeastern Crane

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Re: Seay Oil Company

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Re: Skil Bosch, SB Power Tool Co.

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Re: Son Coast Hauling, L.L.C.

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Re: Stone Construction Equip. Inc.

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Re: Worcester Truck Body Inc

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